

REMARKS

A Petition for Extension of Time is being concurrently filed with this Amendment. Thus, this Amendment is being timely filed.

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

Status of the Claims

In the present Amendment, claim 17 has been amended and claims 19-21 have been added. Further, claims 6, 8 and 15 have been canceled without prejudice or disclaimer of the subject matter contained therein. Also, claims 6, 8 and 15 have indicated allowable subject matter (see page 2 of the outstanding Office Action). Thus, claims 1-5, 7, 9-14 and 16-21 are pending in the present application.

No new matter has been added by way of the amendment and new claims. The amendment to claim 17 is clearly editorial in nature. Thus, Applicants in no way are conceding any limitations with respect to the interpretation of the claims under the Doctrine of Equivalents. New claims 19-21 are the same in scope as claims 6, 8 and 15, respectively, but are in independent form. It is thus respectfully submitted that new claims 19-21 are allowable.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw the only rejection and allow the currently pending claims.

Issues under 35 U.S.C. § 102(b)

Claims 1, 2, 9-14 and 16-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hnatowich *et al.*, *Int. J. Appl. Radiat. Isot.*, Vol. 33, pp. 327-332 (1982) (see pages 2-3 of the Office Action). Applicants respectfully traverse and reconsideration is based on the following remarks.

As recited in instantly pending claim 1, the present invention is directed to a process for producing an amide compound, which comprises reacting a compound having an amino group with a polyaminopolycarboxylic acid anhydride in the presence of the polyaminopolycarboxylic acid (Applicants' emphasis added).

The polyaminopolycarboxylic acid anhydride to be reacted and the polyaminopolycarboxylic acid employed in the presently claimed process possess the same acyl moiety in their molecule. The present invention provides a practical industrial production method as compared to the known method which is conducted by mixing solid human serum albumin and solid polyaminopolycarboxylic acid anhydride, and quickly dissolving the mixture in a Hepes buffer solution (see also Applicants' specification at page 1, lines 13-20).

In the Office Action, the Examiner asserts that human serum albumin reacted with DT in the disclosed Hnatowich *et al.* process falls within the claimed scope of "polyaminopolycarboxylic acid," and hence that the claimed invention lacks novelty. Applicants respectfully disagree. DTP anhydride used in the disclosed Hnatowich *et al.* process corresponds to the polyaminopolycarboxylic acid anhydride. However, the polyaminopolycarboxylic acid

that corresponds to DTP anhydride is not used in the Hnatowich *et al.* process. This is a clear distinction between the cited Hnatowich *et al.* process and that of the presently claimed invention.

Because “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference,” the cited Hnatowich *et al.* reference cannot be a basis for a rejection under § 102(b). *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Thus, because of the lack of disclosure of all features as instantly claimed, the rejection in view of Hnatowich *et al.* is overcome. Reconsideration and withdrawal are respectfully requested.

Conclusion

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

Application No. 09/971,929

Docket No.: 2185-0577P

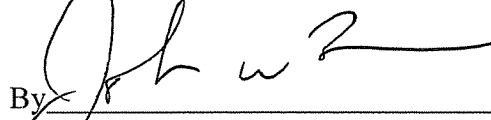
Art Unit 1654

Reply to Office Action of October 30, 2006

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,



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